

EXHIBIT Y

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
DIANA RENE,

Plaintiff,

- against -

TANZIA MUSTAFA, M.D., personally,
EJIKE ONUOGU, M.D., personally,
TAHIRA N. SIAL, M.D., personally,
MELINA FRANCOEUR, personally,
BRUNSWICK HOSPITAL CENTER, INC.,

Defendants.

-----X
BRUNSWICK HOSPITAL CENTER, INC.

Third-Party Plaintiff,

-against-

BELLS NURSING REGISTRY & EMPLOYMENT
AGENCY, INC.

Third-Party Defendant,

-----X

STIPULATION TO WITHDRAW CAUSES OF ACTION

IT IS HEREBY STIPULATED, AGREED AND WARRANTED The undersigned counsels on behalf of the Plaintiff, DIANA RENE and Defendants, TANZIA MUSTAFA, M.D., EJIKE ONUOGU, M.D., TAHIRA N. SIAL, M.D., MELINA FRANCOEUR, and BRUNSWICK HOSPITAL CENTER, INC., and Third-Party Plaintiff BRUNSWICK HOSPITAL CENTER INC and Third-Party Defendant, BELLS NURSING REGISTRY AND EMPLOYMENT AGENCY INC. hereby stipulate and agree to:

CIVIL ACTION NO.:
CV-16-4072 (JMA) (AYS)

STIPULATION OF
SETTLEMENT

1. WITHDRAWAL OF THE SECOND AND THIRD CAUSES OF ACTION of the Third Amended Summons and Complaint filed on September 20, 2018. Which states:

74. By conducting the search of Ms. Rene upon admission when there was no basis to believe (1) that Ms. Rene was in possession of, and hiding, contraband, and (2) intended to harm herself and was in possession and hiding objects that she could use to harm herself, which wsa (*sic*) conducted pursuant to the Brunswick policy of conducting searches of patients upon admission of a patient, defendants Francoeur and Brunswick violated the prohibition against unreasonable searches under the Fourth and Fourteenth Amendments and Ms. Rene's right to privacy and bodily integrity under the Fourteenth Amendment and further violated 42 U.S.C. § 1983.

2. WITHDRAWAL OF FOURTEENTH CAUSE OF ACTION of the Third Amended Summons and Complaint filed on September 20, 2018.

Which states:

96. By forcing Ms. Rene to strip search and conducting a visual body cavity search, defendants Francoeur and Brunswick violated Article I, § 12 of the New York Constitution.

3. WITHDRAWAL OF FIFTEENTH CAUSE OF ACTION of the Third Amended Summons and Complaint filed on September 20, 2018.

Which states:

98. By forcing Ms. Rene to strip search and conducting a visual body cavity search, defendant Brunswick committed battery.

WHEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties to the above entitled action, that whereas no party hereto is an infant, incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action, the above enumerated Causes of Action be, and

the same hereby withdrawn and discontinued *with prejudice* as against defendants, without costs or disbursements to either party as against the other in exchange for the sums set forth in the general releases attached as Exhibits A and B to this stipulation.

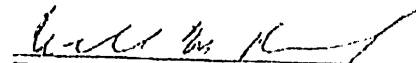
Dated: March 12, 2019
White Plains, New York



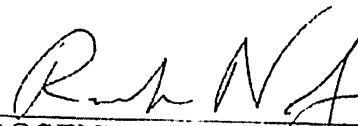
LEWIS JOHS AVLLONE
AVILES, LLP
*Attorney for Defendants and
Third-Party Plaintiff*
EJIKE ONUOGU, M.D.,
TAHIRA N. SIAL, M.D., and
BRUNSWICK HOSPITAL
CENTER, INC.
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Islandia, NY 11749
631-755-0101

MARTIN, CLEARWATER &
BELL

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TANZIA MUSTAFA, M.D.
220 East 42nd Street
New York, NY 10028
212-916-0923



BARRY SEIDEL
William M. Brooks, Of Counsel
Attorney for Plaintiff
148-55 Hillside Avenue
Jamaica, NY 11435
718-793-1133



ROSENBLUM NEWFIELD LLC.
*Attorneys for Defendant and
Third-Party Defendant*
MELINA FRANCOEUR
BELLS NURSING REGISTRY
50 Main Street, 10th Floor
White Plains, NY 10606
(914) 686-6100

SO ORDERED

U.S.D.J.

GENERAL RELEASE

To all to whom these Presents shall come or may Concern, Know that **Diana Rene** being over the age of twenty-one (21) years and residing at 20 Clinton Avenue, East Patchogue, New York 11772 as RELEASOR, in consideration of the sum of **FIFTEEN THOUSAND DOLLARS (\$15,000.00) and NO CENTS**, received from or on behalf of **Melina Francoeur**, and **BELLS NURSING REGISTRY AND EMPLOYMENT AGENCY**, as RELEASEES, plus reimbursement by RELEASEES receipt whereof is hereby acknowledged, releases and discharges **Melina Francoeur**, and **BELLS NURSING REGISTRY AND EMPLOYMENT AGENCY**, and its insurers and reinsurers, including **Allianz Resolution Management, Allianz Reinsurance America, Inc., Interstate Fire and Casualty Company, CNA, and CNA Healthcare Claims**, the RELEASEES, RELEASEES' subsidiaries, employees, agents, servants, heirs, executors, administrators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, in law, admiralty or equity, which against the RELEASEES, the RELEASOR, RELEASOR's heirs, executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this RELEASE, including but not limited to any cause of action touching, concerning, involving, or relating to personal injury, pain and suffering, wrongful death, neglect, malpractice, securities, or

any other thing. Whenever the text hereof requires, the use of singular number shall include the appropriate plural number as the text of the within instrument may require.

This RELEASE may not be changed orally.

Dated: March, 28, 2019
Bellport, New York

Diana Rene

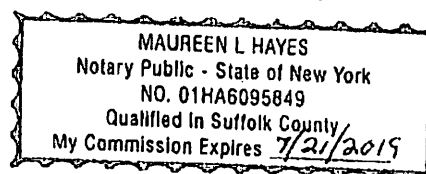
DIANA RENE

STATE OF NEW YORK

COUNTY OF Suffolk ss.:

On March 28, 2019, before me personally came DIANA RENE, to me known, and known to me to be the individual described in, and who executed the foregoing RELEASE, and duly acknowledged to me that she executed the same.

Maureen L Hayes
NOTARY PUBLIC



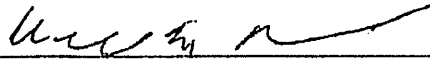
NOTARY PUBLIC

GENERAL RELEASE

To all to whom these Presents shall come or may Concern, Know that **William M. Brooks** being over the age of twenty-one (21) years and with business address at Touro Law Center Touro Law Center 225 Eastview Drive, Central Islip, NY 11722 at 20 Clinton Avenue, East Patchogue, New York 11772 as **RELEASOR**, in consideration of the sum of **NINE THOUSAND DOLLARS (\$9,000.00) and NO CENTS**, received from or on behalf of **Melina Francoeur**, and **BELLS NURSING REGISTRY AND EMPLOYMENT AGENCY**, as **RELEASEES**, by **RELEASEES** receipt whereof is hereby acknowledged, releases and discharges **Melina Francoeur**, and **BELLS NURSING REGISTRY AND EMPLOYMENT AGENCY**, and its insurers and reinsurers, including **Allianz Resolution Management, Allianz Reinsurance America, Inc., Interstate Fire and Casualty Company, CNA, and CNA Healthcare Claims**, the **RELEASEES**, **RELEASEES'** subsidiaries, employees, agents, servants, heirs, executors, administrators, successors and assigns from all actions, causes of action, suits, debts, dues, sums of money, accounts, reckonings, bonds, bills, specialties, covenants, contracts, controversies, agreements, promises, variances, trespasses, damages, judgments, extents, executions, claims, and demands whatsoever, including and not limited to any claim for costs or fees, in law, admiralty or equity, which against the **RELEASEES**, the **RELEASOR**, **RELEASOR's** clients, heirs, executors, administrators, successors and assigns ever had, now have or hereafter can, shall or may, have for, upon, or by reason of any matter, cause or thing whatsoever from the beginning of the world to the day of the date of this **RELEASE**, including but not limited to any cause of action touching, concerning, involving, or relating to personal injury, pain and suffering, wrongful death, neglect, malpractice, securities, or any other thing. Whenever the text hereof requires, the use of singular number shall include the appropriate plural number as the text of the within instrument may require.

This **RELEASE** may not be changed orally.

Dated: April 2, 2019
Central Islip, New York



William M. Brooks

Attorney for Plaintiff

Touro Law Center

225 Eastview Drive

Central Islip, NY 11722



TOURO COLLEGE
JACOB D. FUCHSBERG LAW CENTER
Where Knowledge and Values Meet

Law Faculty

April 18, 2019

Honorable Joan M. Azrack
United States District Court
Eastern District of New York
Federal Plaza
Central Islip, NY 11722

Re: *Rene v. Mustafa*
CV-16-4072 (JMA) (AYS)

Dear Judge Azrack:

I am the plaintiff's attorney in the above matter. This is a civil rights action arising out of the involuntary confinement of the plaintiff at Stony Brook University Medical Center and subsequent hospitalization at Brunswick Hospital Center ("Brunswick").

Enclosed for Your Honor's signature is a stipulation of settlement pertaining claims arising from what the plaintiff has alleged was a wrongful body search to which she was subject at Brunswick. Please note that counsel for defendant Mustafa has chosen not to sign the stipulation even though the stipulation contains a signature line for him. His position that his client was not involved in those alleged claims in any way and he wants to ensure that he will not be precluded from questioning her about this incident in any way if this case goes to trial.

Thank you for Your Honor's attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'William M. Brooks'.

William M. Brooks

cc: Greg Radomisli
Jeffrey Hummel
James Newfield